

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS

ZURICH AMERICAN INSURANCE COMPANY as subrogee of EISENMANN, INC.

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)
Marshall Dennehey Warner Coleman & Goggin
Wall Street Plaza - 88 Pine Street, 21st Floor
New York, New York 10005 (212) 376-6400

DEFENDANTS

M.V. CGM HOMERE, in rem and BLUE ANCHOR AMERICA LINE, in personam

ATTORNEYS (IF KNOWN)

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

Paint conveyor for Volvo paint booth system suffered damage due to forklift driver's dropping the shipment during unloading

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No Yes Judge Previously Assigned _____

If yes, was this case Vol. Invol. Dismissed. No Yes If yes, give date _____ & Case No. _____

IS THIS AN INTERNATIONAL ARBITRATION CASE?

No Yes

(PLACE AN *x* IN ONE BOX ONLY)

NATURE OF SUIT

		TORTS	ACTIONS UNDER STATUTES			
CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
[] 110 INSURANCE	[] 310 AIRPLANE	[] 367 HEALTHCARE/PHARMACEUTICAL PERSONAL INJURY/PRODUCT LIABILITY	[] 625 DRUG RELATED SEIZURE OF PROPERTY	[] 422 APPEAL 28 USC 158	[] 375 FALSE CLAIMS	[] 400 STATE REAPPORTIONMENT
[] 120 MARINE	[] 315 AIRPLANE PRODUCT LIABILITY	[] 365 PERSONAL INJURY PRODUCT LIABILITY	21 USC 881	[] 423 WITHDRAWAL 28 USC 157	[] 410 ANTITRUST	[] 430 BANKS & BANKING
[] 130 MILLER ACT	[] 320 ASSAULT, LIBEL & SLANDER	[] 368 ASBESTOS PERSONAL INJURY PRODUCT LIABILITY	[] 690 OTHER	[] 450 COMMERCE	[] 460 DEPORTATION	[] 470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO)
[] 140 NEGOTIABLE INSTRUMENT	[] 330 FEDERAL EMPLOYERS' LIABILITY			[] 820 COPYRIGHTS	[] 480 CONSUMER CREDIT	[] 490 CABLE/SATELLITE TV
[] 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT	[] 340 MARINE PRODUCT LIABILITY	[] 370 OTHER FRAUD		[] 830 PATENT		
[] 151 MEDICARE ACT	[] 345 MARINE PRODUCT LIABILITY	[] 371 TRUTH IN LENDING		[] 840 TRADEMARK		
[] 152 RECOVERY OF DEFOLTED STUDENT LOANS (EXCL VETERANS)	[] 350 MOTOR VEHICLE PRODUCT LIABILITY			[] 850 SECURITIES/COMMODITIES/EXCHANGE		
[] 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS	[] 355 MOTOR VEHICLE PRODUCT LIABILITY	[] 380 OTHER PERSONAL INJURY PROPERTY DAMAGE	LABOR	[] 861 HIA (1395ff) [] 862 BLACK LUNG (923) [] 863 DIWC/DIWV (405(g))	[] 890 OTHER STATUTORY ACTIONS	[] 891 AGRICULTURAL ACTS
[] 160 STOCKHOLDERS SUITS		[] 382 PERSONAL INJURY - MED MALPRACTICE	[] 385 PROPERTY DAMAGE PRODUCT LIABILITY	[] 710 FAIR LABOR STANDARDS ACT [] 720 LABOR/MGMT RELATIONS	[] 864 SSID TITLE XVI [] 865 RSI (405(g))	
[] 190 OTHER CONTRACT				[] 740 RAILWAY LABOR ACT		
[] 195 CONTRACT PRODUCT LIABILITY	ACTIONS UNDER STATUTES	PRISONER PETITIONS		[] 751 FAMILY MEDICAL LEAVE ACT (FMLA)	FEDERAL TAX SUITS	
[] 196 FRANCHISE	CIVIL RIGHTS	[] 463 ALIEN DETAINEE [] 510 MOTIONS TO VACATE SENTENCE 28 USC 2255		[] 790 OTHER LABOR LITIGATION	[] 870 TAXES (U.S. Plaintiff or Defendant)	[] 893 ENVIRONMENTAL MATTERS
		[] 530 HABEAS CORPUS [] 535 DEATH PENALTY		[] 791 EMPL RET INC SECURITY ACT	[] 871 IRS-THIRD PARTY 26 USC 7609	[] 895 FREEDOM OF INFORMATION ACT
		[] 540 MANDAMUS & OTHER				[] 896 ARBITRATION
REAL PROPERTY						[] 899 ADMINISTRATIVE PROCEDURE ACT/REVIEW OR APPEAL OF AGENCY DECISION
[] 210 LAND CONDEMNATION	[] 441 VOTING [] 442 EMPLOYMENT [] 443 HOUSING/ACCOMMODATIONS	PRISONER CIVIL RIGHTS	IMMIGRATION	[] 462 NATURALIZATION APPLICATION		[] 950 CONSTITUTIONALITY OF STATE STATUTES
[] 220 FORECLOSURE		[] 445 AMERICANS WITH DISABILITIES - EMPLOYMENT	[] 550 CIVIL RIGHTS [] 555 PRISON CONDITION	[] 465 OTHER IMMIGRATION ACTIONS		
[] 230 RENT LEASE & EJECTMENT		[] 446 AMERICANS WITH DISABILITIES - OTHER	[] 560 CIVIL DETAINEE CONDITIONS OF CONFINEMENT			
[] 240 TORTS TO LAND						
[] 245 TORT PRODUCT LIABILITY						
[] 290 ALL OTHER REAL PROPERTY		[] 448 EDUCATION				

Check if demanded in complaint:

CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.?
IF SO, STATE: _____

DEMAND \$ 35,155.31 OTHER _____ JUDGE _____ DOCKET NUMBER _____

Check YES only if demanded in complaint
JURY DEMAND: YES NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN X IN ONE BOX ONLY)

<input checked="" type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from (Specify District)	<input type="checkbox"/> 6 Multidistrict Litigation	<input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge Judgment
<input type="checkbox"/> a. all parties represented						
<input type="checkbox"/> b. At least one party is pro se.						

(PLACE AN X IN ONE BOX ONLY)

<input checked="" type="checkbox"/> 1 U.S. PLAINTIFF	<input type="checkbox"/> 2 U.S. DEFENDANT	<input type="checkbox"/> 3 FEDERAL QUESTION	<input checked="" type="checkbox"/> 4 DIVERSITY (U.S. NOT A PARTY)
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IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF <input checked="" type="checkbox"/> 1 <input type="checkbox"/> 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF <input type="checkbox"/> 3 <input checked="" type="checkbox"/> 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF <input type="checkbox"/> 5 <input checked="" type="checkbox"/> 5
CITIZEN OF ANOTHER STATE	<input type="checkbox"/> 2 <input type="checkbox"/> 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	<input type="checkbox"/> 4 <input checked="" type="checkbox"/> 4	FOREIGN NATION	<input type="checkbox"/> 6 <input type="checkbox"/> 6

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

Zurich North America
 One Liberty Plaza, 28th Floor
 New York, NY 10007

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

Blue Anchor America Line
 c/o Kuehne & Nagel
 10 Exchange Place
 Jersey City, NJ 07302

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

M.V. CGM Homere

Check one: THIS ACTION SHOULD BE ASSIGNED TO: WHITE PLAINS MANHATTAN
 (DO NOT check either box if this a PRISONER PETITION/PRISONER CIVIL RIGHTS COMPLAINT.)

DATE 4/5/2018 SIGNATURE OF ATTORNEY OF RECORD

RECEIPT #



ADMITTED TO PRACTICE IN THIS DISTRICT

[] NO
 YES (DATE ADMITTED Mo. _____ Yr. _____)
 Attorney Bar Code #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)